## UNITED STATES COURT OF APPEALS FOR THE NINTH CIRCUIT

FILED

JUL 28 2010

MOLLY C. DWYER, CLERK U.S. COURT OF APPEALS

CLYDE JAMES RAINEY,

Petitioner - Appellant,

V.

MIKE KNOWLES,

Respondent - Appellee.

No. 08-17222

D.C. No. 4:07-cv-00678-CW U.S. District Court for Northern California, Oakland

**MANDATE** 

The judgment of this Court, entered July 06, 2010, takes effect this date.

This constitutes the formal mandate of this Court issued pursuant to Rule 41(a) of the Federal Rules of Appellate Procedure.

FOR THE COURT:

Molly C. Dwyer Clerk of Court

Synitha Walker Deputy Clerk